

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

POSITIVE TECHNOLOGIES, INC.,

Plaintiff,

v.

BENQ AMERICA CORP., FUJITSU
GENERAL AMERICA, INC., JVC
AMERICAS CORP., MITSUBISHI
DIGITAL ELECTRONICS AMERICA,
INC., NEC DISPLAY SOLUTIONS OF
AMERICA, INC., PANASONIC CORP. OF
NORTH AMERICA, PHILIPS
ELECTRONICS NORTH AMERICA
CORP., PIONEER ELECTRONICS (USA)
INC., POLAROID CORP., PROVIEW
TECHNOLOGY, INC., REGENT U.S.A.,
INC., SAMSUNG ELECTRONICS
AMERICA, INC., SHARP ELECTRONICS
CORP., TOSHIBA AMERICA, INC.,
TOSHIBA AMERICA CONSUMER
PRODUCTS, L.L.C., AND
V, INC.,

Defendants,

And

SAMSUNG SDI CO., LTD

Intervenor.

CASE NO. 2:06-cv-00022-TJW
Jury Trial Demanded

STIPULATION OF DISMISSAL OF PIONEER ELECTRONICS (USA) INC.

Positive Technologies, Inc. ("Positive") and Pioneer Electronics (USA) Inc. ("Pioneer"), through their respective undersigned counsel, hereby stipulate and agree that their respective actions against each other be and hereby are dismissed in their entirety with prejudice, each side to bear its own costs and expenses, including attorney fees, incurred in connection with the

actions. Positive's Complaint and action with regard to the remaining defendants remains in effect unless and until specifically dismissed.

Dated: December 18, 2006

/s/ James P. Brogan

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this **STIPULATION OF DISMISSAL OF PIONEER ELECTRONICS (USA) INC.** was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by facsimile on this 18th day of December, 2006.

/s/James P. Brogan